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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,854	03/07/2001	Travis Parry	10003552-1	5600

7590 10/08/2003

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

ENG, GEORGE

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/800,854

Applicant(s)

PARRY, TRAVIS

Examiner

George Eng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed 7/14/2003 (paper no. 3).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-16, 19-22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil (GB 2,288,100A) in view of Grossi et al. (US PAT. 5,604,341 hereinafter Grossi).

Regarding claim 1, Roztocil discloses a method for providing customer support to a peripheral device user, comprising the steps of establishing a communication link between a customer support representative located in a customer assistance center (30, figure 1) and the user with a customer support unit, i.e., a telephone, connected to a peripheral device, i.e., printer (12, figure 2) and transmitting communications of the customer support representative to the user while the user is at the peripheral device via the customer support unit (page 6 lines 18-30). Roztocil differs from the claimed invention in not specifically teaching the customer unit integrated with the peripheral device. However, Grossi teaches to integrate an equipment with video conferencing unit, i.e., a customer support unit, to hold a video conferencing with a

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customer support representative in order to extend the capabilities of the equipment by adding or integrating with the customer support unit (col. 2 line 23 through col. 3 line 7). Roztocil and Grossi are combinable because they are in the same field of endeavor, i.e., establishing a communication between customer support representative and user. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Roztocil in integrating the customer support unit with the peripheral device, as per teaching of Grossi, in order to extend the capabilities of the equipment by adding or integrating with the customer support unit.

Regarding claims 2-4, Grossi teaches to transmit communications of the customer support representative comprising the steps of transmitting audio and video data of the customer support representative to the customer support unit, while the user is at the equipment (col. 2 line 58 through col. 3 line 7).

Regarding claims 5-6, Roztocil discloses to present the customer support representative with information about the status and settings of the peripheral device by providing that information using the peripheral device and to permit the customer support representative to change setting of the peripheral device (page 6 line 31 through page 8 line 5).

Regarding claim 7, the limitations of the claim are rejected as the same reasons as set forth in claim 1.

Regarding claim 8-11, the limitations of the claim are rejected as the same reasons as set forth in claims 2-4. Note while Grossi teaches to establish communications with other computers operated by customer support representative (col. 2 lines 60-64) so that it recognizes means for

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transmitting customer support representative communications further comprising network interface devices.

Regarding claims 12-14, the limitations of the claims are rejected as the same reasons set forth in claims 5-6.

Regarding claim 19, the limitations of the claim are rejected as the same reasons as set forth in claims 2-4.

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Regarding claim 20, Roztocil discloses a printer (12, figure 2) adapted for electrical connection with a peripheral device (90, figure 2) comprising a speaker configured to present audio data of a customer support representative to a user and a microphone configured to capture audio data of the user, and a display configured to present data to a user (page 6 lines 18-30). Roztocil differs from the claimed invention in not specifically teaching the peripheral device having the display to present video data of the customer support representative and a video camera configured to capture video data of the user. However, Grossi teaches to integrate an equipment with a videoconferencing unit including a camera, to hold a video conferencing with a customer support representative in order to extend the capabilities of the equipment (col. 2 line 23 through col. 3 line 7). Roztocil and Grossi are combinable because they are in the same field of endeavor, i.e., establishing a communication between customer support representative and user. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Roztocil in having the display to present video data of the customer support representative and a video camera configured to capture video data of the user, as per teaching of Grossi, in order to allows customer to establish a video conference with the customer support representative, thereby makes user friendly.

Regarding claim 21, the limitations of the claim are rejected as the same reasons set forth in claim 1.

Regarding claim 22, the limitations of the claim are rejected as the same reasons set forth in claims 2-4.

Regarding claim 24, the limitations of the claim are rejected as the same reasons set forth in claims 5-6.

4. Claims 17-18 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil (GB 2,288,100A) in view of Grossi et al. (US PAT. 5,604,341 hereinafter Grossi) as applied in claims above, and further in view of Houghton et al. (US PAT. 6,009,153 hereinafter Houghton).

Regarding claims 17-18, the combination of Roztocil and Grossi differs from the claimed invention in not specifically teaching the network interface devices to transmit and receive communications across the Internet and a web server module adapted to generate web page containing information about the status and settings of the electrical device. However, Houghton teaches a easy to use programming technique for programming operation parameters in an electronic device capable of transmitting and receiving communications across the Internet comprising a web server module to generate web page containing information about the status and settings of an electronic device (col. 6 line 37 through col. 7 line 5 and col. 9 lines 46-67). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Roztocil and Grossi in having the web server module for transmitting and receiving communications over the Internet, as per teaching of Houghton, because it makes user friendly so that it provides enhanced programming ease for a user of the electrical device.

Regarding claim 23, the limitations of the claim are rejected as the same reasons set forth in claims 17-18.

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5. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil (GB 2,288,100A) in view of Houghton et al. (US PAT. 6,009,153 hereinafter Houghton).

Regarding claim 25, Roztocil discloses a peripheral device comprising a customer support unit configured to facilitate communications between a peripheral device user at the peripheral device and a customer support representative, the customer support unit including a microphone that collects voice data of the user, a speaker that emits voice data of the representative (page 6 lines 18-30). Roztocil differs from the claimed invention in not specifically teaching the peripheral device comprising a scanner, an embedded web server configured to post peripheral device configuration information and network interface devices that enable transmission of data between the user and the representative. However, Houghton teaches a peripheral device, i.e., a facsimile machine comprising a scanner (100, figure 2), a programmer controller (140, figure 2), read as an embedded web server, to post peripheral device configuration information and network interface devices (125, figure 2) for enabling transmission of data between the user and the representative (col. 5 line 30 through col. 7 line 5 and col. 9 lines 46-67). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Roztocil in having the peripheral device comprising a scanner, an embedded web server configured to post peripheral device configuration information and network interface devices that enable transmission of data between the user and the representative, as per teaching of Houghton, it makes user friendly so that it provides enhanced programming ease for a user of the peripheral device.

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Regarding claim 26, Houghton teaches the programmable controller configured to receive remote commands transmitted by the representative to change setting on the peripheral device (col. 6 line 55 through col. 7 line 5).

6. Claims 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil (GB 2,288,100A) in view of Houghton et al. (US PAT. 6,009,153 hereinafter Houghton) as applied in claim 25 above, and further in view of Grossi et al. (US PAT. 5,604,341 hereinafter Grossi).

Regarding claims 27-28, the combination of Roztocil and Houghton differs from the claimed invention in not specifically teaching the customer support unit comprising a camera for collecting video data of the user and a display for displaying video data of the representatives. However, Grossi teaches to add a videoconferencing unit including a camera for a device to provide a customer support, wherein the videoconferencing unit further comprising a display for displaying video data of the representative (col. 2 line 23 through col. 3 line 7). Roztocil, Houghton and Grossi are combinable because they are in the same field of endeavor, i.e., establishing a communication between customer support representative and user. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Roztocil in having the display to present video data of the customer support representative and a video camera configured to capture video data of the user, as per teaching of Grossi, in order to allows customer to establish a video conference with the customer support representative, thereby makes user friendly.

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Response to Arguments

7. Applicant's arguments with respect to claims 1-19 and 21-28 have been considered but are moot in view of the new ground(s) of rejection.

8. Applicant's arguments filed 7/14/2003 (paper no. 3) have been fully considered but they are not persuasive.

In response to applicant's argument that Grossi is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Roztocil and Grossi are combinable because they are in the same field of endeavor, i.e., establishing a communication between customer support representative and user. The use of Grossi merely is for teaching to modify the peripheral device having a display to present video data of the customer representative to a user and a camera for capturing video data of the user in order to allow customer to establish a video conference with the customer support representative, thereby making user friendly.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any response to this final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

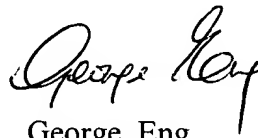
Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A., Sixth Floor (Receptionist).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tuesday to Friday from 7:30 AM to 6:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz, can be reached on (703) 305-4870. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

A handwritten signature in black ink, appearing to read "George Eng", with a stylized flourish at the end.

George Eng

Examiner

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